

### **AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) A performance information edit and playback apparatus comprising:

a first storage for storing a plurality of style data, wherein each of the plurality of style data includes an accompaniment part and a percussion instrument part to be played back simultaneously with the accompaniment part, which constitute a predetermined length of accompaniment and contains a series of musical tone event data arranged in time series, ~~each of which includes a plurality of constituent parts regarding accompaniment, and for storing user's performance data including a plurality of performing parts, wherein each of the constituent parts and the performing parts contains a series of musical tone event data arranged in time series, and the user's performance data are created by a user;~~

a second storage for storing user's performance data created by a user, wherein the user's performance data include a plurality of performing parts, each of which contains a series of musical tone event data sequentially arranged in time series,

a first display section for displaying contents of the performing parts included in the user's performance data in a time-series manner;

a style selector for selecting desired style data from among the plurality of style data in accordance with a user's instruction;

a second display section for displaying a first block indicative of an accompaniment part included in the selected style data and a second block indicative of a percussion part

included in the selected style data ~~blocks designating the constituent parts included in the selected style data;~~ and

a controller for allowing a user to select at least one of the first blocks and the second block displayed in the second display section ~~and, which is selected by the user's instruction and is displayed in the second display section,~~ to move the at least one block being selected to a desired time-related position within a desired performing part displayed in the first display section, thus writing a series of the musical tone event data, included in the part indicated by the selected at least one block, ~~constituent part designated by at least one block that is selected,~~ to the desired time-related position in the desired performing part.

2. (Previously Presented) A performance information edit and playback apparatus according to claim 1 further comprising a pitch modifier for automatically modifying tone pitches of the selected constituent part of the style data.

3. (Previously Presented) A performance information edit and playback apparatus according to claim 1, wherein the first display section displays the content of the performing part included in the user's performance data as the block.

4. (Currently Amended) A performance information edit and playback apparatus comprising:

a first storage for storing style data, wherein the style data include a prescribed accompaniment part representing a predetermined length of accompaniment,~~including prescribed accompaniment parts and for storing user's performance data including accompaniment parts and other performing parts, which is not related to an accompaniment, wherein the style data are fixed and are not rewritten, and the user's performance data are created by a user;~~

a second storage for storing user's performance data produced by a user, wherein the user's performance data include an accompaniment part and another performing part subjected to simultaneous playback with the accompaniment part;

a mode selector for alternatively selecting, in accordance with a user's operation, one of a style data playback mode and user's performance data playback mode~~the style data or the user's performance data in accordance with a user's instruction;~~ and

a playback device operable to simultaneously play back the prescribed accompaniment parts included in the style data and the another performing parts included in the user's performance data in parallel when the mode selector selects the style data playback mode upon starting playback, said playback device operable to simultaneously play back~~when the selector selects the style data, and the accompaniment parts included in the user's performance data and the another performing parts included in the user's performance data in parallel~~ when the mode selector selects the user's performance data

playback mode upon starting playback ~~when the selector selects the user's performance data.~~

5. (Previously Presented) A performance information edit and playback apparatus according to claim 4, wherein both of the accompaniment parts included in the user's performance data and the prescribed accompaniment parts included in the style data commonly share a same tone-generation channel or a same tone color.

6. (Withdrawn) A performance information edit and playback apparatus comprising:

a storage for storing user's performance data including a plurality of parts;

a part selector for allowing a user to select a specific part within the plurality of parts included in the user's performance data;

a recording start device that starts recording of the user's performance data with respect to a specific part that is selected by the part selector when a record switch and a start switch are operated;

a record mode determining device operable to determine whether or not the part selector selects the specific part when the record switch and the start switch are operated; and

a display manner changer operable to change the display appearance of the start switch from a first appearance to a second appearance when the record mode determining device determines that none of the plurality of parts are selected as the specific part by the

part selector, and changes the display appearance of the start switch from the first appearance to a third appearance when the record mode determining device determines that any one of the plurality of parts is selected as the specific part by the part selector.

7. (Cancelled)

8. (Cancelled)

9. (Cancelled)

10. (Currently Amended) A performance information edit and playback method comprising the steps of:

storing a plurality of style data, wherein each of the plurality of style data includes an accompaniment part and a percussion instrument part to be played back simultaneously with the accompaniment part, which constitute a predetermined length of accompaniment and contains a series of musical tone event data arranged in time series,  
~~each of which includes a plurality of constituent parts regarding accompaniment;~~

storing user's performance data including a plurality of performing parts, in which each of the constituent parts and the performing parts contains a series of musical tone event data arranged in time series, and the user's performance data are created by a user;

displaying contents of the performing parts included in the user's performance data in a time-series manner;

selecting desired style data from among the plurality of style data in accordance with a user's instruction;

displaying a first block indicative of an accompaniment part included in the selected style data and a second block indicative of a percussion part included in the selected style data ~~blocks designating the constituent parts included in the selected style data~~; and

allowing a user to select at least one of the first blocks and the second block ~~displayed in the second display section and, which is selected by the user's instruction and is displayed in the second display section,~~ to move the at least one block being selected to a desired time-related position within a desired performing part displayed in the first display section, thus writing a series of the musical tone event data, included in the part indicated by the selected at least one block, ~~constituent part designated by at least one block that is selected,~~ to the desired time-related position in the desired performing part.

11. (Currently Amended) A performance information edit and playback method comprising the steps of:

storing style data, wherein the style data include a prescribed accompaniment part representing a predetermined length of accompaniment ~~including prescribed accompaniment parts~~;

storing user's performance data produced by a user including an accompaniment part~~[[s]]~~ and another performing part~~[[s]]~~, subjected to simultaneous playback with the

~~accompaniment part which are not related to an accompaniment, wherein the style data are fixed and are not rewritten, and the user's performance data are created by a user;~~

~~alternatively selecting in accordance with a user's operation one of the a style data or the playback mode and user's performance data playback mode in accordance with a user's instructions;~~

~~simultaneously playing back the prescribed accompaniment part[[s]] included in the style data and the another performing part[[s]] included in the user's performance data when in the style data playback mode upon starting playback in parallel when the style data is selected in the selecting step; and~~

~~simultaneously playing back the accompaniment part[[s]] included in the user's performance data and another performing part[[s]] included in the user's performance data when in the user's performance data playback mode upon starting playback in parallel when the user's performance data is selected in the selecting step.~~

12. (Withdrawn) A performance information edit and playback method comprising the steps of:

storing user's performance data including a plurality of parts;

allowing a user to select a specific part within the plurality of parts included in the user's performance data;

starting recording of the user's performance data with respect to the specific part that is selected when a record switch and a start switch are operated;

determining whether or not the specific part is selected when the record switch and the start switch are operated; and

changing a display appearance of the start switch from a first appearance to a second appearance when it is determined in the determining step that none of the plurality of parts is selected as the specific part; and

changing a display appearance of the start switch from the first appearance to a third appearance when it is determined in the determining step that any one of the plurality of parts is selected as the specific part.

13. (Cancelled)

14. (Currently Amended) A machine-readable medium storing performance information edit and playback programs that cause a computer to perform a method comprising the steps of:

storing a plurality of style data, wherein each of the plurality of style data includes an accompaniment part and a percussion instrument part to be played back simultaneously with the accompaniment part, which constitute a predetermined length of accompaniment and contains a series of musical tone event data arranged in time series ~~each of which includes a plurality of constituent parts regarding accompaniment;~~

storing user's performance data including a plurality of performing parts, in which each of the constituent parts and the performing parts contains a series of musical tone event data arranged in time series, and the user's performance data are created by a user;

displaying contents of the performing parts included in the user's performance data in a time-series manner;

selecting desired style data from among the plurality of style data in accordance with a user's instruction;

displaying a first block indicative of an accompaniment part included in the selected style data and a second block indicative of a percussion part included in the selected style data~~blocks designating the constituent parts included in the selected style data~~; and

allowing a user to select at least one of the first blocks and the second block displayed in the second display section and, which is selected by the user's instruction and is displayed in the second display section, to move the at least one block being selected to a desired time-related position within a desired performing part displayed in the first display section, thus writing a series of the musical tone event data, included in the part indicated by the selected at least one block, constituent part designated by at least one block that is selected, to the desired time-related position in the desired performing part.

15. (Currently Amended) A machine-readable medium storing performance data edit and playback programs that cause a computer to perform a method comprising the steps of:

storing style data, wherein the style data include a prescribed accompaniment part representing a predetermined length of accompaniment~~including prescribed accompaniment parts~~;

storing user's performance data produced by a user including an accompaniment part~~[[s]]~~ and another performing part~~[[s]]~~ subjected to simultaneous playback with the accompaniment part, ~~which are not related to an accompaniment, wherein the style data are fixed and are not rewritten, and the user's performance data are created by a user;~~

alternatively selecting in accordance with a user's operation one of the a style data playback mode and ~~or the user's performance data playback mode~~ in accordance with a user's instruction;

simultaneously playing back the prescribed accompaniment part~~[[s]]~~ included in the style data and the another performing part~~[[s]]~~ included in the user's performance data when in the style data playback mode upon starting playback ~~in parallel when the style data is selected in the selecting step; and~~

simultaneously playing back the accompaniment part~~[[s]]~~ included in the user's performance data and the another performing part~~[[s]]~~ included in the user's performance data when in the user's performance data playback mode upon starting playback ~~in parallel when the user's performance data is selected in the selecting step.~~

16. (Withdrawn) A machine-readable medium storing performance information edit and playback programs that cause a computer to perform a method comprising the steps of:

storing user's performance data including a plurality of parts;

allowing a user to select a specific part within the plurality of parts included in the user's performance data;

starting recording of the user's performance data with respect to the specific part that is selected when a record switch and a start switch are operated;

determining whether or not the specific part is selected when the record switch and the start switch are operated;

changing a display appearance of the start switch from a first appearance to a second appearance when it is determined in the determining step that none of the plurality of parts is selected as the specific part; and

changing a display appearance of the start switch from the first appearance to a third appearance when it is determined in the determining step that any one of the plurality of parts is selected as the specific part.

17. (Cancelled)

18. (New) The performance information edit and playback apparatus according to claim 1, wherein, during a record mode, at least one of the performing parts has user record data written thereto in response to input by the user, and, during an edit mode, moving by the user of a specific part of the style data onto another specific part of the user record data causes recordal of the specific part of the style data in place of the specific part of the user record data.